

BEFORE THE
BOARD OF REGISTERED NURSING
DEPARTMENT OF CONSUMER AFFAIRS
STATE OF CALIFORNIA

In the Matter of the Accusation Against:

PATRICIA ANN CRANFORD
1814 Linhart Avenue
Fort Meyers, FL 33901

Registered Nurse License No. 757800

Respondent

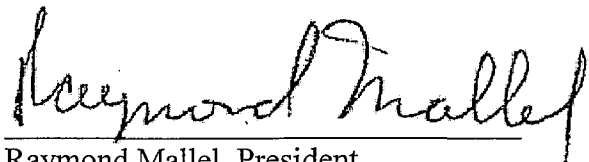
Case No. 2013-232

DECISION AND ORDER

The attached Stipulated Settlement and Disciplinary Order for Public Reprimand is hereby adopted by the Board of Registered Nursing, Department of Consumer Affairs, as its Decision in this matter.

This Decision shall become effective on **March 8, 2013**.

IT IS SO ORDERED **February 8, 2013**.



Raymond Mallel, President
Board of Registered Nursing
Department of Consumer Affairs
State of California

1 KAMALA D. HARRIS
Attorney General of California
2 GLORIA A. BARRIOS
Supervising Deputy Attorney General
3 KATHERINE MESSANA
Deputy Attorney General
4 State Bar No. 272953
300 So. Spring Street, Suite 1702
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Attorneys for Complainant

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8 **BEFORE THE**
BOARD OF REGISTERED NURSING
9 **DEPARTMENT OF CONSUMER AFFAIRS**
STATE OF CALIFORNIA

10 In the Matter of the Accusation Against:

11 **PATRICIA ANN CRANFORD**

12 1814 Linhart Avenue
13 Fort Meyers, FL 33901

14 Registered Nurse License No. 757800

15 Respondent.

Case No. 2013-232

**STIPULATED SETTLEMENT AND
DISCIPLINARY ORDER FOR PUBLIC
REPROVAL**

[Bus. & Prof. Code § 495]

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17 In the interest of a prompt and speedy settlement of this matter, consistent with the public
18 interest and the responsibility of the Board of Registered Nursing of the Department of Consumer
19 Affairs, the parties hereby agree to the following Stipulated Settlement and Disciplinary Order for
20 Public Reproval which will be submitted to the Board for approval and adoption as the final
21 disposition of the Accusation.

22 **PARTIES**

23 1. LOUISE R. BAILEY, M.ED., RN ("Complainant") is the Executive Officer of the
24 Board of Registered Nursing. She brought this action solely in her official capacity and is
25 represented in this matter by Kamala D. Harris, Attorney General of the State of California, by
26 Katherine Messana, Deputy Attorney General.

27 2. Respondent Patricia Ann Cranford ("Respondent") is representing herself in this
28 proceeding and has chosen not to exercise her right to be represented by counsel.

3. On or about August 13, 2009, the Board of Registered Nursing issued Registered Nurse License No. 757800 to Patricia Ann Cranford. The Registered Nurse License was in full force and effect at all times relevant to the charges brought in Accusation No. 2013-232 and will expire on November 30, 2014, unless renewed.

JURISDICTION

4. Accusation No. 2013-232 was filed before the Board of Registered Nursing ("Board"), Department of Consumer Affairs, and is currently pending against Respondent. The Accusation and all other statutorily required documents were properly served on Respondent on October 2, 2012. Respondent timely filed her Notice of Defense contesting the Accusation. A copy of Accusation No. 2013-232 is attached as Exhibit A and incorporated herein by reference.

ADVISEMENT AND WAIVERS

5. Respondent has carefully read, and understands the charges and allegations in Accusation No. 2013-232. Respondent has also carefully read, and understands the effects of this Stipulated Settlement and Disciplinary Order for Public Reprimand.

6. Respondent is fully aware of her legal rights in this matter, including the right to a hearing on the charges and allegations in the Accusation; the right to be represented by counsel at her own expense; the right to confront and cross-examine the witnesses against her; the right to present evidence and to testify on her own behalf; the right to the issuance of subpoenas to compel the attendance of witnesses and the production of documents; the right to reconsideration and court review of an adverse decision; and all other rights accorded by the California Administrative Procedure Act and other applicable laws.

7. Respondent voluntarily, knowingly, and intelligently waives and gives up each and every right set forth above.

CULPABILITY

8. Respondent admits the truth of each and every charge and allegation in Accusation No. 2013-232.

9. Respondent agrees that her Registered Nurse License is subject to discipline and she agrees to be bound by the Board's disciplinary terms as set forth in the Disciplinary Order below.

CONTINGENCY

10. This stipulation shall be subject to approval by the Board of Registered Nursing. Respondent understands and agrees that counsel for Complainant and the staff of the Board of Registered Nursing may communicate directly with the Board regarding this stipulation and settlement, without notice to or participation by Respondent. By signing the stipulation, Respondent understands and agrees that she may not withdraw her agreement or seek to rescind the stipulation prior to the time the Board considers and acts upon it. If the Board fails to adopt this stipulation as its Decision and Order, the Stipulated Settlement and Disciplinary Order for Public Repeval shall be of no force or effect, except for this paragraph, it shall be inadmissible in any legal action between the parties, and the Board shall not be disqualified from further action by having considered this matter.

11. The parties understand and agree that facsimile copies of this Stipulated Settlement and Disciplinary Order for Public Repeval, including facsimile signatures thereto, shall have the same force and effect as the originals.

12. This Stipulated Settlement and Disciplinary Order for Public Repeval is intended by the parties to be an integrated writing representing the complete, final, and exclusive embodiment of their agreement. It supersedes any and all prior or contemporaneous agreements, understandings, discussions, negotiations, and commitments (written or oral). This Stipulated Settlement and Disciplinary Order for Public Repeval may not be altered, amended, modified, supplemented, or otherwise changed except by a writing executed by an authorized representative of each of the parties.

13. In consideration of the foregoing admissions and stipulations, the parties agree that the Board may, without further notice or formal proceeding, issue and enter the following Disciplinary Order:

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DISCIPLINARY ORDER

IT IS HEREBY ORDERED that Registered Nurse License No. 757800 issued to Respondent Patricia Ann Cranford shall, by way of letter from the Board's Executive Officer, be publicly reproved. The letter shall be in the same form as the letter attached as Exhibit B to this stipulation.

IT IS FURTHER ORDERED that Respondent shall pay \$1,080.00 to the Board for its costs associated with the investigation and enforcement of this matter. Respondent shall be permitted to pay these costs in a payment plan approved by the Board. If Respondent fails to pay the Board costs as ordered, Respondent shall not be allowed to renew her Registered Nurse License until Respondent pays costs in full.

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DATED:

Patricia A. Cranford
PATRICIA ANN CRANFORD

Dated:

KATHERINE MESSANA
Deputy Attorney General
Attorneys for Complainant

STIPULATED SETTLEMENT (2013-232)

Exhibit A

Accusation No. 2013-232

1 KAMALA D. HARRIS
Attorney General of California
2 GLORIA A. BARRIOS
Supervising Deputy Attorney General
3 KATHERINE MESSANA
Deputy Attorney General
4 State Bar No. 272953
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8 **BEFORE THE**
BOARD OF REGISTERED NURSING
DEPARTMENT OF CONSUMER AFFAIRS
9 **STATE OF CALIFORNIA**

10 In the Matter of the Accusation Against:

Case No. *2013-232*

11 **PATRICIA ANN CRANFORD**

12 1814 Linhart Avenue
13 Fort Myers, FL 33901

A C C U S A T I O N

14 Registered Nurse License No. 757800

15 Respondent.

16
17 Complainant alleges:

18 **PARTIES**

19 1. Louise R. Bailey, M.Ed., RN ("Complainant") brings this Accusation solely in her
20 official capacity as the Executive Officer of the Board of Registered Nursing, Department of
21 Consumer Affairs.

22 2. On or about August 13, 2009, the Board of Registered Nursing issued Registered
23 Nurse License Number 757800 to Patricia Ann Cranford ("Respondent"). The Registered Nurse
24 License was in full force and effect at all times relevant to the charges brought herein and will
25 expire on November 30, 2012, unless renewed.

26 **JURISDICTION AND STATUTORY PROVISIONS**

27 3. This Accusation is brought before the Board of Registered Nursing ("Board"),
28 Department of Consumer Affairs, under the authority of the following laws. All section

1 references are to the Business and Professions Code ("Code") unless otherwise indicated.

2 4. Section 2750 of the Code provides, in pertinent part, that the Board may discipline
3 any licensee, including a licensee holding a temporary or an inactive license, for any reason
4 provided in Article 3 (commencing with section 2750) of the Nursing Practice Act.

5 5. Section 2764 of the Code provides, in pertinent part, that the expiration of a license
6 shall not deprive the Board of jurisdiction to proceed with a disciplinary proceeding against the
7 licensee or to render a decision imposing discipline on the license. Section 2811(b) of the Code
8 provides, in pertinent part, that the Board may renew an expired license at any time within eight
9 years after the expiration.

10 6. Section 118, subdivision (b), of the Code provides that the suspension, expiration,
11 surrender or cancellation of a license shall not deprive the Board of jurisdiction to proceed with a
12 disciplinary action during the period within which the license may be renewed, restored, reissued
13 or reinstated.

14 7. California Code of Regulations, title 16, section 1419.3 states:

15 "In the event a licensee does not renew his/her license as provided in
16 Section 2811 of the code, the license expires. A licensee renewing pursuant to this
17 section shall furnish a full set of fingerprints as required by and set out in section
1419(b) as a condition of renewal.

18 (a) A licensee may renew a license that has not been expired for more
19 than eight years by paying the renewal and penalty fees as specified in Section 1417
and providing evidence of 30 hours of continuing education taken within the prior
two-year period.

20 (b) A licensee may renew a license that has been expired for more than
21 eight years by paying the renewal and penalty fees specified in Section 1417 and
22 providing evidence that he or she holds a current valid active and clear registered
nurse license in another state, a United States territory, or Canada, or by passing the
Board's current examination for licensure."

23 8. Section 2761 of the Code states in pertinent part:

24 "The board may take disciplinary action against a certified or licensed
25 nurse or deny an application for a certificate or license for any of the following:

26 (a) Unprofessional conduct, which includes, but is not limited to, the
27 following:

28

(4) Denial of licensure, revocation, suspension, restriction, or any other

disciplinary action against a health care professional license or certificate by another state or territory of the United States, by any other government agency, or by another California health care professional licensing board. A certified copy of the decision or judgment shall be conclusive evidence of that action.

...

(d) Violating or attempting to violate, directly or indirectly, or assisting in or abetting the violating of, or conspiring to violate any provision or term of this chapter [the Nursing Practice Act] or regulations adopted pursuant to it."

9. Section 2762 of the Code states:

"In addition to other acts constituting unprofessional conduct within the meaning of this chapter [the Nursing Practice Act], it is unprofessional conduct for a person licensed under this chapter to do any of the following:

...

(b) Use any controlled substance as defined in Division 10 (commencing with Section 11000) of the Health and Safety Code, or any dangerous drug or dangerous device as defined in Section 4022, or alcoholic beverages, to an extent or in a manner dangerous or injurious to himself or herself, any other person, or the public or to the extent that such use impairs his or her ability to conduct with safety to the public the practice authorized by his or her license."

COST RECOVERY

10. Section 125.3 of the Code provides:

"(a) Except as otherwise provided by law, in any order issued in resolution of a disciplinary proceeding before any board within the department or before the Osteopathic Medical Board, upon request of the entity bringing the proceeding, the administrative law judge may direct a licentiate found to have committed a violation or violations of the licensing act to pay a sum not to exceed the reasonable costs of the investigation and enforcement of the case.

(b) In the case of a disciplined licentiate that is a corporation or a partnership, the order may be made against the licensed corporate entity or licensed partnership.

(c) A certified copy of the actual costs, or a good faith estimate of costs where actual costs are not available, signed by the entity bringing the proceeding or its designated representative shall be prima facie evidence of reasonable costs of investigation and prosecution of the case. The costs shall include the amount of investigative and enforcement costs up to the date of the hearing, including, but not limited to, charges imposed by the Attorney General.

(d) The administrative law judge shall make a proposed finding of the amount of reasonable costs of investigation and prosecution of the case when requested pursuant to subdivision (a). The finding of the administrative law judge with regard to costs shall not be reviewable by the board to increase the cost award. The board may reduce or eliminate the cost award, or remand to the administrative law judge if the proposed decision fails to make a finding on costs requested pursuant to subdivision (a).

1 (e) If an order for recovery of costs is made and timely payment is not
2 made as directed in the board's decision, the board may enforce the order for
3 repayment in any appropriate court. This right of enforcement shall be in addition to
4 any other rights the board may have as to any licentiate to pay costs.

5 (f) In any action for recovery of costs, proof of the board's decision shall
6 be conclusive proof of the validity of the order of payment and the terms for payment.

7 (g) (1) Except as provided in paragraph (2), the board shall not renew or
8 reinstate the license of any licentiate who has failed to pay all of the costs ordered
9 under this section.

10 (2) Notwithstanding paragraph (1), the board may, in its discretion,
11 conditionally renew or reinstate for a maximum of one year the license of any
12 licentiate who demonstrates financial hardship and who enters into a formal
13 agreement with the board to reimburse the board within that one-year period for the
14 unpaid costs.

15 (h) All costs recovered under this section shall be considered a
16 reimbursement for costs incurred and shall be deposited in the fund of the board
17 recovering the costs to be available upon appropriation by the Legislature.

18 (i) Nothing in this section shall preclude a board from including the
19 recovery of the costs of investigation and enforcement of a case in any stipulated
20 settlement.

21 (j) This section does not apply to any board if a specific statutory
22 provision in that board's licensing act provides for recovery of costs in an
23 administrative disciplinary proceeding.

24 (k) Notwithstanding the provisions of this section, the Medical Board of
25 California shall not request nor obtain from a physician and surgeon, investigation
26 and prosecution costs for a disciplinary proceeding against the licentiate. The board
27 shall ensure that this subdivision is revenue neutral with regard to it and that any loss
28 of revenue or increase in costs resulting from this subdivision is offset by an increase
in the amount of the initial license fee and the biennial renewal fee, as provided in
subdivision (e) of Section 2435."

FIRST CAUSE FOR DISCIPLINE

(Disciplinary Action by Out of State Licensing Agency)

11. Respondent is subject to disciplinary action under section 2761, subdivision (a)(4) of
the Code in that Respondent was disciplined by the State of Alaska Department of Commerce
Community and Economic Development, Division of Corporations, Business and Professional
Licensing ("Alaska Board"). On or about April 7, 2011, the Alaska Board adopted a Consent
Agreement issuing a public reprimand to Respondent and fining her \$500.00 in the disciplinary
matter entitled *In the Matter of Patricia A. Cranford, Case No. 2010-001344*. The circumstances
underlying the disciplinary action by the Alaska Board are that Respondent submitted an

1 application for Registered Nurse-Biennial License Renewal to the Alaska Board on October 12,
2 2010. On the application, Respondent denied any disciplinary action by any jurisdiction.
3 Respondent has an Order signed by the Board of Nurse Examiners for the State of Texas ("Texas
4 Board") on or about August 18, 2009 which states that the Respondent may not work outside the
5 state of Texas pursuant to a multistate licensure privilege without written permission of the State
6 of Texas and the board of Nursing in the party state where the Respondent wishes to work.

7 12. Respondent is subject to disciplinary action under section 2761, subdivision (a)(4) of
8 the Code in that Respondent was disciplined by the Texas Board. The circumstances underlying
9 the disciplinary action by the Texas Board are that on or about August 18, 2009, the Texas Board
10 adopted an Eligibility Agreed Order in which the Texas Board conditionally granted
11 Respondent's application and placed Respondent on probation with terms and conditions in the
12 disciplinary matter entitled *In the Matter of Patricia Ann Cranford Applicant for Eligibility for*
13 *Licensure*. The circumstances underlying the disciplinary action by the Texas Board are that on
14 or about October 3, 2008, Respondent submitted an Application for Licensure by Endorsement to
15 the Texas Board. The Respondent answered "yes" to the question which reads: "[w]ithin the past
16 five (5) years have you been addicted to and/or treated for the use of alcohol or any other drug?"
17 The disciplinary action by the Texas Board also noted that in June 2005, Respondent voluntarily
18 signed a five (5) year contract with the Florida Intervention Project for Nurses Program.

19 **SECOND CAUSE FOR DISCIPLINE**

20 **(Unprofessional Conduct)**

21 13. Respondent is subject to disciplinary action under section 2761, subdivision (a) of the
22 Code on the grounds of unprofessional conduct in that Respondent denied any disciplinary action
23 by any jurisdiction on her October 2010 application to the Alaska Board. The conduct is
24 described in more particularity in paragraph 11 above, inclusive and hereby incorporated by
25 reference.

26 14. Respondent is subject to disciplinary action under section 2761, subdivision (a) of the
27 Code on the grounds of unprofessional conduct in that Respondent admitted that she was addicted
28 to and/or treated for the use of alcohol or any other drug on her October 2008 application to the

1 Texas Board. The conduct is described in more particularity in paragraph 12 above, inclusive and
2 hereby incorporated by reference.

3 **THIRD CAUSE FOR DISCIPLINE**

4 **(Drug Related Transgressions)**

5 15. Respondent is subject to disciplinary action under section 2761, subdivision (a) of the
6 Code as defined in section 2762, subdivision (b) of the Code in that Respondent used controlled
7 substances, dangerous drugs or alcoholic beverages to an extent or in a manner dangerous or
8 injurious to himself or herself, any other person, or the public or to the extent that such use
9 impairs his or her ability to conduct with safety to the public the practice authorized by his or her
10 license. The conduct is described in more particularity in paragraph 12 above, inclusive and
11 hereby incorporated by reference.

12 **FOURTH CAUSE FOR DISCIPLINE**

13 **(Violations of Nursing Practice Act)**

14 16. Respondent is subject to disciplinary action under section 2761, subdivision (d) of the
15 Code in that Respondent violated provisions of the Nursing Practice Act. The violations are
16 described in more particularity in paragraphs 11 through 15 above, inclusive and hereby
17 incorporated by reference.

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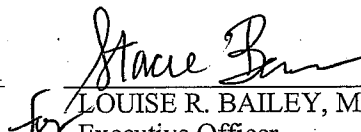
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PRAYER

WHEREFORE, Complainant requests that a hearing be held on the matters herein alleged, and that following the hearing, the Board of Registered Nursing issue a decision:

1. Revoking or suspending Registered Nurse License Number 757800, issued to Patricia Ann Cranford;
2. Ordering Patricia Ann Cranford to pay the Board of Registered Nursing the reasonable costs of the investigation and enforcement of this case, pursuant to Business and Professions Code section 125.3;
3. Taking such other and further action as deemed necessary and proper.

DATED: OCTOBER 02, 2012


LOUISE R. BAILEY, M.ED., RN
Executive Officer
Board of Registered Nursing
Department of Consumer Affairs
State of California
Complainant

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Exhibit B

Letter of Public Reproval in Case No. 2013-232

Board of Registered Nursing
P O Box 944210, Sacramento, CA 94244-2100
P (916) 322-3350 | www.rn.ca.gov
Louise R. Bailey, M.Ed., RN, Executive Officer



February 8, 2013

Patricia Ann Cranford
1814 Linhart Avenue
Fort Meyers, FL 33901

RE: LETTER OF PUBLIC REPROVAL
In the Matter of the Accusation Against:
Patricia Ann Cranford, Registered Nurse License No. 757800

Dear Ms. Cranford:

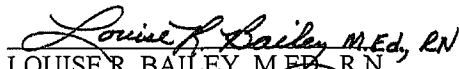
On October 2, 2012, the Board of Registered Nursing, Department of Consumer Affairs, State of California, filed an Accusation against your Registered Nurse License. The Accusation alleged that you engaged in unprofessional conduct under 2761(a)(4) for license discipline in another state, 2761(a) for general unprofessional conduct, 2762(b) for drug related transgressions and 2761(d) for violations of the Nursing Practice Act.

The circumstances giving rise to the disciplinary action are that on or about April 7, 2011, the State of Alaska Department of Commerce Community and Economic Development, Division of Corporations, Business and Professional Licensing ("Alaska Board") took disciplinary action against your license in that state in the form of a public reprimand and a \$500.00 fine for failing to disclose prior disciplinary action by the Board of Nurse Examiners for the State of Texas ("Texas Board"). The disciplinary action by the Texas Board arose from an admission on your application for licensure in that state that within the past five years you had been addicted to and/or treated for the use of alcohol or any other drug and that in 2005, you participated in the Florida Intervention Project for Nurses Program ("IPN Program").

You presented mitigation evidence to the Board. Specifically, you presented a letter from the Florida IPN Program acknowledging your successful completion of that program in or about May 2010, a letter from your Alcoholics Anonymous sponsor confirming your regular attendance at meetings for the past seven years and a letter from your supervisor at Consult-A-Nurse indicating that you were forthright with her regarding your recovery and praising your excellent work ethic. Taking into consideration the documentation described above and that there are other mitigating circumstances in this case that support the determination that you are safe to practice registered nursing, the Board has decided that the charges warrant a public reproof.

Accordingly, in resolution of this matter under the authority provided under Business and Professions Code section 495, the Board of Registered Nursing, Department of Consumer Affairs issues this letter of public reproof.

Sincerely,


LOUISE R. BAILEY, M.Ed., R.N.
Executive Officer
Board of Registered Nursing
Department of Consumer Affairs
State of California